



Sen. John G. Mulroe

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09700HB0277sam002

LRB097 05792 RLC 55702 a

1 AMENDMENT TO HOUSE BILL 277

2 AMENDMENT NO. _____. Amend House Bill 277 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by
5 changing Section 12-7.4 as follows:

6 (720 ILCS 5/12-7.4) (from Ch. 38, par. 12-7.4)

7 (Text of Section after amendment by P.A. 96-1551)

8 Sec. 12-7.4. Aggravated stalking.

9 (a) A person commits aggravated stalking when he or she
10 commits stalking and:

11 (1) causes bodily harm to the victim;

12 (2) confines or restrains the victim; or

13 (3) violates a temporary restraining order, an order of
14 protection, a stalking no contact order, a civil no contact
15 order, or an injunction prohibiting the behavior described
16 in subsection (b)(1) of Section 214 of the Illinois

1 Domestic Violence Act of 1986.

2 (a-1) A person commits aggravated stalking when he or she
3 is required to register under the Sex Offender Registration Act
4 or has been previously required to register under that Act and
5 commits the offense of stalking when the victim of the stalking
6 is also the victim of the offense for which the sex offender is
7 required to register under the Sex Offender Registration Act or
8 a family member of the victim.

9 (b) Sentence. Aggravated stalking is a Class 3 felony; a
10 second or subsequent conviction is a Class 2 felony.

11 (c) Exemptions.

12 (1) This Section does not apply to any individual or
13 organization (i) monitoring or attentive to compliance
14 with public or worker safety laws, wage and hour
15 requirements, or other statutory requirements, or (ii)
16 picketing occurring at the workplace that is otherwise
17 lawful and arises out of a bona fide labor dispute
18 including any controversy concerning wages, salaries,
19 hours, working conditions or benefits, including health
20 and welfare, sick leave, insurance, and pension or
21 retirement provisions, the managing or maintenance of
22 collective bargaining agreements, and the terms to be
23 included in those agreements.

24 (2) This Section does not apply to an exercise of the
25 right of free speech or assembly that is otherwise lawful.

26 (3) Telecommunications carriers, commercial mobile

1 service providers, and providers of information services,
2 including, but not limited to, Internet service providers
3 and hosting service providers, are not liable under this
4 Section, except for willful and wanton misconduct, by
5 virtue of the transmission, storage, or caching of
6 electronic communications or messages of others or by
7 virtue of the provision of other related
8 telecommunications, commercial mobile services, or
9 information services used by others in violation of this
10 Section.

11 (Source: P.A. 96-686, eff. 1-1-10; 96-1551, eff. 7-1-11.)".